



MEMO ENDORSED

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April 3, 2008

**VIA FACSIMILE**

The Honorable James C. Francis IV  
United States Magistrate Judge, Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 1960  
New York, New York 10007-1312

**Re: Sloan, et al. v. City of New York, et al., 05 CV 7668 (RJS) (JCF)**

Dear Judge Francis:

Defendants write to respectfully request clarification of the Court's Order of March 28, 2008, in the above referenced matter. The March 28, 2008 Order is attached hereto.

Defendants' January 22, 2008 motion sought the dismissal of Plaintiff Emily Sloan's emotional distress claims on two grounds 1) for her refusal to execute releases for her mental health records, and 2) for her refusal to provide releases for her arrest records. Paragraph 1 of the March 28, 2008 Order dismisses Plaintiff Sloan's emotional distress claims for failing to execute releases for her relevant mental health records, but Paragraph 3 of the Order states that Defendants application to dismiss Plaintiff Sloan's emotional distress claims are denied and orders Plaintiff Sloan to produce releases for her arrest records by April 15, 2008.

Defendants ask the Court to modify Paragraph 3 of the March 28, 2008 Order by removing the first instance of Emily Sloan's name in that paragraph, which will make clear that her emotional distress claims are dismissed and that she is obligated to produce the releases for her arrest records.

4/3/08

Respectfully submitted,

*Odile Farrell*  
Odile Farrell

*Application granted in part.  
Ms. Sloan's emotional distress claims  
are dismissed per paragraph 1 of the  
March 28, 2008 Order. However, as a consequence, her  
NM-RVC arrest records are no longer relevant,  
and the releases need not be produced.*

Enclosure

*SO ORDERED.  
James C. Francis IV  
USMJ*

Apr 3 2008 11:23am P003/006

Fax: